

FILED

NOV 29 2005

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

RICHARD W. FUSING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

1	UNITED STATES OF AMERICA,)	No. CR 05-00681 JF
2)	
3	Plaintiff,)	ORDER CONTINUING CASE AND
4)	EXCLUDING TIME UNDER THE
5	v.)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
6)	
7	FELIX LEYVA-ANAYA,)	
8	a/k/a Felix Leyva,)	
9	Defendant.)	

10 This matter came before the Court for a status hearing on Wednesday, November 23,
 11 2005. Counsel for the government and the defendant were present. Based on the hearing, the
 12 request of the defendant, the Court finds pursuant to Title 18, United States Code, Section
 13 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of
 14 justice in granting this continuance outweigh the defendant's and the public's interests in a
 15 speedy trial inasmuch as the defendant needs additional time for continuity of counsel as well as
 16 investigation and effective preparation.

17 IT IS HEREBY ORDERED that this case is continued to Wednesday, January 18, 2006 at
 18 9:00 a.m. for a status hearing.

19 IT IS FURTHER ORDERED that the period of time from November 23, 2005 through
 20 and including January 18, 2006 shall be excluded from the period of time within which trial must
 21 commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

22
 23 DATED: 11-28-05

24
 25 
 26 JEREMY FOGEL
 United States District Judge

27 NOV 29 2005

28

1 Copies to be served on:

2 MATTHEW A. LAMBERTI
3 Assistant United States Attorney
4 150 Almaden Boulevard, Suite 900
5 San Jose, California 95113

6 CYNTHIA C. LIE
7 Assistant Federal Public Defender
8 160 W. Santa Clara Street, Suite 575
9 San Jose, California 95113
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28